

(18 August 2017 – to date)

NATIONAL LAND TRANSPORT ACT 5 OF 2009

(Government Notice 413 in Government Gazette 32110 dated 8 April 2009. Commencement date of certain sections: 31 August 2009 [Proc. No. 54, Gazette No. 32532 dated 31 August 2009])

Commencement date of further sections: 8 December 2009 [Proc. No. R87, Gazette No. 32788 dated 8 December 2009]

REGULATIONS ON COLOUR CODING AND BRANDING FOR MINIBUSES AND MIDIBUSES USED FOR MINIBUS TAXI-TYPE SERVICES, 2017

Proclamation No.R.26 in Government Gazette 41046 dated 18 August 2017. Commencement date: 18 August 2017 – subject to regulation 3(1)

The Minister of Transport has, in terms of section 8(1)(h) of the National Land Transport Act, 2009 (Act No. 5 of 2009), after consultation with the MECs, made the regulations in the Schedule hereto.

(Signed)

MR JOE MASWANGANYI, MP

MINISTER OF TRANSPORT

DATE: 15/06/2017

SCHEDULE

ARRANGEMENT OF REGULATIONS

1. Definitions
2. Application of Regulations
3. Colour coding and branding
4. Advertising on minibuses and midibuses used for minibus taxi-type services
5. Permissible logos and livery
6. No other advertising, logos, stickers, distinguishing marks, identification or livery permissible
7. Maintenance of body paint, stickers and marks
8. Offences
9. Repeal
10. Short title and commencement

1. Definitions

In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates-

Prepared by:

“**midibus**” means a midibus as defined in the Act;

“**minibus**” means a minibus as defined in the Act;

“**minibus taxi-type service**” means a minibus taxi-type service as defined in the Act;

“**National Road Traffic Regulations**” means the National Road Traffic Regulations as published in Government Notice No. R. 225 of 17 March 2000 and made under the National Road Traffic Act;

“**public transport service**” means public transport service as defined in the Act;

“**scheduled service**” means scheduled service as defined in the Act; and

“**the Act**” means the National Land Transport Act, 2009 (Act No. 5 of 2009).

2. Application of Regulations

- (1) These Regulations must apply only to minibuses and midibuses used for minibus taxi-type services, and must not apply to any other type of vehicles used for any other type of public transport service.
- (2) Where the relevant operating licence allows for a vehicle to operate more than one type of service as contemplated in section 50(2) of the Act, of which one service is a minibus taxi-type service, these Regulations will apply to that vehicle.
- (3) In the case of a conflict between these Regulations and the National Road Traffic Regulations, the National Road Traffic Regulations, will take precedence.

3. Colour coding and branding

- (1) No person shall operate a minibus or midibus, the date of first registration of which is after a date calculated as six months after the date of publication of these regulations in the *Gazette*, on a public road for a minibus taxi-type service unless-
 - (a) the standard colour of the vehicle is white; and
 - (b) stickers depicting the South African national flag are displayed on the vehicle in accordance with subregulation (2).
- (2) The stickers referred to in subregulation (1)(b) must
 - (a) be no larger than 300 millimetres in height and 300 millimetres in length;

- (b) be affixed to the vehicle and kept displayed on the side of both front doors below the window level of the vehicle; and
- (c) depict the flag correctly displayed as prescribed in Schedule 1 of the Constitution.

4. Advertising on minibuses and midibuses used for minibus taxi-type services

- (1) Advertising is permitted on any minibus or midibus used for minibus taxi-type services, subject to sub regulations (2) and (3).
- (2) Advertisements must only appear on the side panels or sliding door to the rear of the driver and to the rear of the front seat passenger doors.
- (3) Translucent advertising may only be applied to the rear window of a minibus or midibus operating minibus taxi-type services: Provided that the material or film of the advertisement complies with regulation 202(3) of the National Road Traffic Regulations.

5. Permissible logos and livery

A minibus or midibus used for minibus taxi-type services may display the following:

- (a) One sticker or mark not larger than 225 square centimetres depicting the name and logo of the association to which the operator belongs which may include the route number or description, and which may be displayed anywhere on the vehicle; and
- (b) one sticker or mark not larger than 225 square centimetres depicting the name and coat of arms of the municipality or province in which the operations take place and which may be placed anywhere on the vehicle.

6. No other advertising, logos, stickers, distinguishing marks, identification or livery permissible

- (1) No advertising, logo, sticker, distinguishing mark, identification or livery may be painted or displayed on a vehicle other than those authorised by these Regulations or permitted in terms of any other law, *[sic]*
- (2) Despite these Regulations, any logo, sticker, distinguishing mark, identification or livery that was attached to or displayed on a vehicle in terms of the regulations repealed by regulation 9 of these Regulations or in terms of any other law, may continue to be so displayed.

7. Maintenance of body paint, stickers and marks

- (1) The operator of a vehicle contemplated in these Regulations must maintain the body paint and the stickers or marks contemplated in these Regulations in such a condition that they are presentable and the letters and figures on them, if any, are clearly legible at all times.
- (2) Should the body paint or any stickers or marks on a vehicle become defaced, illegible or otherwise damaged to make them unclear or unsightly, the operator of the vehicle must repaint the vehicle or replace the sticker or mark, as the case may be.

8. Offences

An operator who contravenes or fails to comply with these Regulations is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months.

9. Repeal

The Distinguishing Marks for Mini-Bus and Midi-Bus Regulations published in Government Notice No. R.35 of 19 January 2007, are hereby repealed.

10. Short title and commencement

These Regulations are called the Regulations on Colour Coding and Branding for Minibuses and Midibuses used for Minibus Taxi-type Services, 2017 and shall come into operation on the date of publication thereof but subject to regulation 3(1).